

Positive Institutions

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Joseph Harvey Waggoner

## Table of Contents

Table of Contents	2
TABLE OF CONTENTS	4
THE BAPTIST ARGUMENT ON THE SABBATH	5
GOD'S ANSWER To Man's Excuses for not Keeping His Sabbath	16

**BY ELDER J. H. WAGGONER.**

**TABLE OF CONTENTS**

THE BAPTIST ARGUMENT ON THE SABBATH	1
GOD'S ANSWER To Man's Excuses for not Keeping His Sabbath	15

## THE BAPTIST ARGUMENT ON THE SABBATH

Writers and speakers against the Sabbath, almost innumerable, have tried to set aside its claims by declaring it a *positive institution*. Resting on the clear evidence of its moral nature, it has not generally been considered necessary to examine at length the argument raised against the Sabbath on this point. Believing, however that it is well to carefully examine every false position to which men blindly cling, we propose to ascertain whether our opponents gain anything to their cause by such an affirmation.*POI 1.1*

The morality of the fourth commandment is shown. 1. In that it is a part of that law which hangs on the great principles of love to God and man. 2. By comparison with precepts confessedly moral. All confess that the eighth commandment is moral; but that is founded altogether on the right of property; for if that right were denied, no one could be convicted of stealing. Now no proof of property can be more clear and undeniable than that which shows that *the seventh day is the Lord's day*. He claims it as his, and forbids our using it for our own purposes. If it be immoral to appropriate to our own use that which our fellowman claims as his, how much more to take and use that upon which God has placed his claim and special prohibition! But this consideration will not, bear in favor of the first day of the week; for God never placed any claim on that day; he gave it to man for labor, reserving only the seventh day-his rest-day-for his own honor or and glory.*POI 1.2*

But had we no evidence of the morality of the fourth commandment, we should not then be deficient in evidence to establish its claims to observance, as we shall show by examining the argument for *positive institutions*. On that subject we have a clear and concise argument now before us.*POI 2.1*

Jos. S. C. F. Frey was raised in the Jewish faith, in which he continued till the age of twenty-five. After becoming a Christian he entered the Missionary School at Berlin, Prussia. The London Missionary Society called him to England in 1801, where he was set apart to preach to the Jews. While in London he was personally acquainted with Abraham Booth, the celebrated Baptist author, who

presented him with his work entitled, "*Pedobaptism Examined.*" These books he kept twenty-two years without reading. But having his attention called to the subject of baptism, he changed his faith, and united with the Baptist church in New York, under Dr. Maclay, in 1827. His reasons for the change, and arguments on the subject, he published in the form of "Essays on Baptism." The first Essay is on positive institutions, clear and forcible. The occasion of this part of the argument is thus stated by himself:*POI 2.2*

"The perusal of Dr. L Wood's Lectures in particular convinced me of the importance of adding the first Essay to the original matter. Dr. W., in the beginning of his work, page 11, declares: 'It is a plain case that there is no express precept respecting infant baptism in our sacred writings. The proof, then, that infant baptism is a divine institution, must be made out in another way.' A want of attention to the nature and obligation of a positive institution of God, has left many to take unwarranted liberties in altering the ordinance, and the qualifications of its subjects; and others to neglect it altogether, as a matter perfectly indifferent." *Pref., p. 11, 5th ed., 1843.**POI 2.3*

Mr. Frey has erred in respect to the Sabbath, right where he claims that the Pedobaptists err in regard to Baptism. To the first page of his Essay on positive laws he appended a note, as follows:*POI 3.1*

"The fourth commandment, so far as it relates to the particular day of week, and the part of time to be devoted to the worship of God, is of the nature of a positive institution, and was, therefore, liable to be changed by the Institutor; but the duty of keeping some time holy, or the duty of worshiping the Creator, is of a moral nature, and is therefore unchangeable and perpetually obligatory. The *first* day of the week, or the Lord's day, has been substituted by him for the *seventh* day."*POI 3.2*

Now, in order to this position being correct, *the first day of the week, in regard to its institution and requirements, must meet all the conditions and necessities of positive institutions and positive laws.* That it does not meet such conditions, and that the seventh does, we shall now show by examining Mr. Frey's first Essay.*POI 3.3*

But before this examination, lest some should conclude that, if it be positive, it is therefore indifferent, we raise this question: What is

the nature of the obligation of a positive law? and refer to Mr. Frey's remarks and proofs on this point. His position is thus taken:*POI 3.4*

"7. That it is highly criminal to neglect or slight a positive institution."*POI 4.1*

On this he quotes thus:-

"*Dr. Waterland*, the great champion for truth saith: 'Positive duties stand upon moral foot: to obey God in whatsoever he commands is the first moral law, and the fundamental principle of all morality. The reason of things and the relation we bear to God, require that God should be obeyed in matters otherwise indifferent; and such obedience is *moral*, and the opposite disobedience is *immoral*; *positives*, therefore, while under precept, cannot be slighted without slighting *morals* also. In short, positive laws, as soon as enacted, become part of moral law; because, as I said, universal obedience to God's commands is the first moral law into which all moral laws resolve. Whenever positive duties are so performed as to become true obedience, they are as valuable in the sight of God as any; moral performances whatsoever, because obeying God's voice is all in all. Obedience was the thing insisted upon with Adam, with Abraham, with Saul, and with many others, in positive instances; and God laid as great stress upon obedience there, as in any moral instance whatever. To conclude, then, moral performances without the obedience of the heart, are nothing; and positive performances without the like obedience are nothing; but the sincere obeying of God's voice in both is *true religion* and *true morality*.'" *POI 4.2*

How often do we hear persons say, if they are Christians, and love God, such performances are not essential. A quotation from *Mr. Wadsworth* on the Lord's Supper, which will equally apply to any other ordinance or positive law, meets this:*POI 4.3*

"Some may say, *Sure, God will not be so much concerned, with a failure in so small a punctilio as a ceremony*. True, it is a ceremony, but it is such a one that beareth the stamp of the authority of the Lord. If he appoints it will you slight it and say, it is but a ceremony? \* \* \* Was circumcision anything more than a ceremony? Yet it had almost cost Moses his life for neglecting to circumcise his son; for the angel stood ready, with his sword to slay him if he had not

prevented it by his obedience.” *Exodus 4:24-26*. . . . *But I am regenerate and become a new creature; I do not fear that God will cast me away for the disuse of a ceremony*. Is this the reasoning of one regenerate? Surely thou dost not understand what regeneration meaneth. Is it not the same with being born of God? And what is it to be obedient to the Father but to do as he commandeth? ... Tell me what you think of this kind of reasoning; *I am a child of God; therefore I will presume to disobey him.*” *POI 5.1*

A quotation from *Dr. Gerard* is worthy of careful consideration:

“A total disregard to the positive and external duties of religion, or a very great neglect of them, is justly reckoned more blamable, and a stronger evidence of an unprincipled character, than even some transgressions of a moral obligation. Even particular positive precepts, as soon as they are given by God, have something *moral* in their nature. Suppose the rites which are enjoined by them perfectly indifferent before they were enjoined; yet from that moment they cease to be indifferent. The divine authority is interposed for the performance of them. To neglect them is no longer to forbear an indifferent action; or to do a thing in, one way rather than another; which has naturally no greater propriety; it is very different; it is to disobey God; it is to despise his authority; it is to resist his will. Can any man believe God, and not acknowledge that disobedience to him and contempt of his authority is *immoral*, and far from the least heinous species of immorality?” *POI 5.2*

This is fully sustained by *Jonathan Edwards*. He is quoted as saying, in his sermons: *POI 6.1*

“Positive precepts are the greatest and most proper trial of obedience; because in them the more authority and will of the legislator is the sole ground of the obligation, and nothing in the nature of the things themselves; and, therefore, they are the greatest trial of any person’s respect to that authority and will.” *POI 6.2*

With these statements we agree; and if we find that Sunday is binding by positive law, we shall hold ourselves under the same obligation to obey it as if it were a moral or original obligation. And, by the admissions of our opponents, we are fully warranted in



taking this position:-*POI 6.3*

They who affirm that the Sabbath or the observance of the seventh day is a *positive*, and not a *moral* duty, gain nothing thereby to their argument, it being no loss obligatory if commanded.*POI 6.4*

Those who are familiar with first-day arguments, know that they are drawn largely from the *supposed facts* of the finishing of redemption; importance of the resurrection; relative greatness of creation and redemption; etc. Now from their position that *the day* is positive (and thereby liable to change), such suppositions and reasonings are not admissible, coming not at all within the province of positive institutions. Let us see their own statements on this subject. Mr. Frey quotes *Dr. Sherlock*, as follows:-*POI 6.5*

“What is matter of institution depends wholly upon the divine will and pleasure; and though all men will grant that God and Christ have always great reason for their institutions, yet it is not the reason but the authority, which makes the institution. Though we do not understand the reasons of the institution, if we: see the command we must obey; and though we could: fancy a great many reasons why there should be such an institution, if no such institution appear, we are free; *and ought not to believe there is such an institution because we think there are reasons assigned why it should be.*”*POI 7.1*

But first-day advocates admit that there is no commandment for its observance; no record of an institution in respect to it, only they pretend to find reasons why such an institution *should be*; but such pretended reasons are condemned, not only by Bishop Sherlock, but by all writers on positive laws. Mr. Frey says:-*POI 7.2*

“The *law* of the institution is the *only rule* of obedience.”*POI 7.3*

With this we agree; only Mr. Frey applies it to one institution, and denies it to another. How Mr. Frey can believe that the Sabbath, as regards the day, is positive, and yet keep Sunday *without any law, rule, or precept*, seems strange indeed.*POI 7.4*

Again, *Dr. Sherlock* is quoted:-

“I would not be thought wholly to reject a plain and evident

consequence from scripture; yet I will *never admit* of a mere consequence to prove an institution, which must be delivered in *plain terms*, as all laws ought to be: and where I have no other proof but some scripture consequences, I shall not think it equivalent to a scripture proof.... Let a Protestant, then, tell such disputants that, for the institution of sacraments, and for articles of faith, he expects *plain, positive proofs*; that, as much as the Protestant faith is charged with uncertainty, we desire a little more certainty for our faith than mere inferences from scripture, and those none of the plainest neither.”—*Preserv. against Popery*.POI 7.5

This is certainly strong and plain talk for a Pedobaptist Sunday-keeper. But the following from *Bishop Taylor* is a fiery furnace to the position of Mr. Frey, and all those who claim the positive nature of the Sabbath:-POI 8.1

“All positive precepts, that depend on the mere will of the lawgiver, admit no degrees nor suppletory and commutation; *because in such laws we see nothing beyond the words of the law, and the first meaning, and the, named instance*; and therefore it is that *in individuo* which God points at; it is that in which he will make the trial of our obedience; it is that in which he will so perfectly be obeyed, that he will not be disputed with nor inquired of *why* and *how*, but just according to the measures there set down. *So, and no more, and no less, and no otherwise*. For, when the will of the lawgiver be *all the reason*, the first instance of the law is *all the measures*, and there can be no product but what is just set down.”POI 8.2

Conceding the assumption of our opponents, that *the day* of the Sabbath is positive, what do we find to meet the positive requirement? “The words of the law” are, The seventh day is the Sabbath; “the first meaning,” and the only possible meaning is, the seventh day of the week; “the named instance” and example is, God rested on the seventh day, after making all things in six days; “and, therefore, it is that *in individuo* which God points at;” etc.; while there is neither *law, meaning, nor instance*, for the observance of first-day. So far as either *institution* or *obligation* is concerned respecting the first day there is nothing “just set down.” Why then keep it? “Who hath required this at your hands?”POI 8.3

Mr. Frey remarks:-

"The law of a positive institution must be so plain and explicit as to stand in no need of any other assistance to understand it but the mere letter of the law. As a rule must be straight, not bent nor crooked, if we would draw direct lines by it, so must laws be plain, and expressed in words whose signification is well understood." *POI 9.1*

Query. Is the law for keeping first-day so plain as to need no assistance but "the mere letter of the law" to understand it? We know it is so regarding the seventh day; here is duty plainly expressed. We see no chance to "halt between two opinions" on this subject. *POI 9.2*

Dr. Goodman is quoted as follows:-

"Now it is very evident that all things of this nature ought to be appointed *very plainly* and expressly, or else they can carry no obligation with them; for, seeing the whole reason of their becoming matter of law or duty, lies in the will of the legislator; if that be not plainly discovered they cannot be said to be instituted, and so there can be no obligation to observe them; because, *where there is no law there can be no transgression*; and a law is no law in effect which is not sufficiently promulgated." *POI 9.3*

Fatal words to all the pretensions and claims of Sunday-keeping. *Bishop Taylor* is further quoted as saying:-

"It is certain God put no disguises upon his own commandments, and the words are meant plainly and heartily; and the further you remove from their first sense, the more you have lost the purport of your rule." *POI 9.4*

And yet, if it was ever designed to command man to keep Sunday, the words of the law were so carefully disguised that they have never yet been found. Surely, this is charging God with folly. Why will not men be content to keep God's commandments, as plainly given, instead of seeking under disguises and vain reasonings to find a substitute for it? *POI 10.1*

Mr. Frey, in the body of his work, quotes from Dr. Dwight, not the rule-the law of Sunday, nor the institution of it, but *reasons why he thinks* it should be kept; why *he thinks* it was designed of the Lord

to be kept. But the quotations I have noticed above utterly forbid such reasonings and conjectures. A quotation from *Bishop Burnet* is applicable to this point:*POI 10.2*

*“All reasoning upon this head is an arguing against the institution”*<sup>11n</sup>  
all these quotations, I give the italics as they are given in the book.; as if Christ and his apostles had not well enough considered it but that twelve hundred years after them a consequence should be observed that till then had not been thought of, which made it reasonable to alter the manner of it. He who instituted it knew best what was most fitting and most reasonable; *and we must choose rather to acquiesce in his commands than in our own reasonings.”**POI 10.3*

This is a striking rebuke of the reasonings for first-day referred to, f o r a l l such reasonings directly contradict God’s explicit commandment, and his revealed reason for the institution. In this Mr. Frey, in company with all the advocates of Sunday, has crossed the track of all he has said and quoted respecting such institutions.*POI 10.4*

In summing up this part of the argument he remarks:-

“Dear reader, I have now, in as brief a manner as possible, and rather in the very words of our Pedit-baptist brethren than in any other way, stated the difference between the nature of a positive and a moral law; and shown that the *authority* of the law-giver is the sole ground, and the *words* of the institution the *only rule*, of our obedience; and that thence it follows that *the rule or words of the institution must be plain, clear, and explicit,”**POI 11.1*

This is in harmony with all writers on positive institutions. The Baptists have always contended that “the obligation of an institution must be found in the law of the institution,” and not inferred from something else; and to be consistent they must receive the obligation of the Sabbath from the law of the Sabbath, the fourth commandment, and nowhere else. This binds them to the seventh day, as surely as the law of Baptism binds them to the immersion of believers. Pedobaptism and Sunday-keeping rest upon *inferences*, contrary to the *explicit* terms of *the law.**POI 11.2*

The quotations above given on this subject represent the standard

position of theological writers; and from them it is very clear that *the first day of the week does not meet the requisite conditions of a positive institution, there being no explicit institution, nor law for its observance*; but the seventh day does meet all the requirements of such an institution, *the will of the law-giver being plainly revealed both as to its institution and observance*. Therefore, if it be true that *the day of the Sabbath is a positive duty*, it follows of necessity that the seventh, and not the first day, should be observed.*POI 11.3*

And it has been before shown that, if it be positive, it is no less obligatory than any moral precept, if it be plainly commanded. But it is plainly commanded; hence, allowing the claim of our opponents, that the particular day, is of the nature of positive law, yet, according to their own testimonies cited, we are as strongly bound by positive, explicit law, to keep the seventh day of the week for the Sabbath, as to obey any moral precept whatever.*POI 11.4*

As first-day observance has no command or rule to rest upon, it is plain that it is *will worship*, and not any part of the true worship of God. Some quotations in Mr. Frey's second Essay present this subject in its proper light. They are so forcible, truthful, and appropriate, that we may be excused, for giving a few extracts. Says *Dr. Owen*:*POI 12.1*

"Divine revelation is the only foundation, the only rule, and the only law of all religious worship that is pleasing to God or accepted by him; when once a person maintains it allowable to pass over the limits of a *divine command*, there is nothing to hinder him from running the most extravagant lengths."*POI 12.2*

But Sunday-keepers do pass such limits, and if they have not run "the most extravagant lengths," we hope they will take warning and escape the danger that always lies in the path of error.*POI 12.3*

*Bishop Hopkins* says:-*POI 12.4*

"We ought not to worship God with any other external worship than what himself has commanded and appointed us in his holy Word. The Scripture has set us our bounds for Worship; to which we must not add, and from which we ought not to diminish; for whosoever does either the one or the other, must needs accuse the rule, either

in defect of things necessary, or of superfluity of things unnecessary; which is a high affront to the wisdom of God, who, as he is the object, so is he the prescriber of all that worship which he will accept and reward.”*POI 12.5*

Says *Richard Baxter*:

“Who knows what will please God but himself? and has he not *told us* what he expects from us? Can that be *obedience* which has no *command* for it? Is not this to supererogate, and to be righteous over much? Is not this also to accuse God’s ordinances of insufficiency, as well as his word; as if they were not sufficient to please him or help our own graces? Oh, the pride of man’s heart, that, instead of being a law-obeyer, will be a law-maker! For my part I will not fear that God will be angry with me for doing no more than he has commanded me, and for sticking close to the rule of his word in matter of worship; but I should tremble to add or diminish.”*POI 13.1*

Happy the soul who can lay his hand upon the *whole Bible* and say, Amen, to these pious utterances!*POI 13.2*

We have queried how Mr. Frey could believe and write as he did on positive laws, and yet keep Sunday. We can account for it only as he accounts for his being a Pedobaptist so many years: he had never closely examined it. How many who will admit all that has been said on positive law, who keep Sunday, will shield themselves behind the same excuse? We shall conclude this article by a quotation on this point, which is specially applicable at the present time, while the light of the Sabbath truth is being proclaimed with the power of a message from Heaven!*POI 13.3*

“Nor will a willful or voluntary ignorance in the least diminish the crime of neglecting a positive institution. ‘The criminal cause,’ says the eloquent and profound *Dr. Grosvenor*, ‘of not seeing the evidence of such appointments are, in this case, as in many other cases, non-inquiry, laziness, prejudice, lust, pride, and passion. That an ignorance owing to these causes cannot be pleaded for a neglect of any of God’s appointments, is so much the general sense of all casuists, that I shall only add here *that it is at every man’s peril how he comes not to know the will of God, as well as not to do*

*it. We must look to it how we came not to see the appointment, and must answer that to God and our own conscience. It is not enough to say, Lord, I did not know it was appointed; when the answer may justly be, You never inquired into the matter; you never allowed yourself to think of it; or, if you did, you resolved in your mind that you would not be convinced. You made the most of every cavil but never minded the solution to any of your objections.”*POI 13.4

And now, dear reader, we leave this with you; and while we firmly hold to the morality of the fourth commandment, we feel assured that you cannot, on examination, excuse yourself for neglecting it by saying it is positive. This has soothed the awakened conscience of many; but this refuge is denied you; it is fully exposed. There is but one sure refuge for the troubled conscience; it is found in *obedience*. Cease your cavils, and walk in this path, and you will rejoice in the light now shining forth from “the commandments of God and the faith of Jesus.” *Revelation 14:12.*POI 14.1

*Burlington, Mich., March, 1865.*POI 14.2

Note.-Though I head this “the Baptist argument,” it is not strictly so, as most of the quotations are from Pedobaptist authors. The position taken on positive law is common to all denominations. It is only when the subject of Baptism is in controversy that the Baptists and Pedobaptists take different roads. And when the subject of the Sabbath comes up, the Baptists virtually deny their faith and take their position on Pedobaptist ground.*POI 14.3*

## **GOD'S ANSWER To Man's Excuses for not Keeping His Sabbath**

1. It is inconvenient to keep the seventh, day. *Matthew 16:24*. "If any man will come after me, let him deny himself, and take up his cross, and follow me." *Chap. 10:38; Mark 8:34; Luke 9:23; 14:27.POI 15.1*

2. I have a family to support; it will interfere with my business. *Matthew 16:25, 26*. "For whosoever will save his life shall lose it; and whosoever will lose his life for my sake shall find it. For what is a man profited, if he shall gain the whole world, and lose his own soul?" *Chap. 6:24, 31-33; Luke 12:15-37; 1 Timothy 4:8; Psalm 37:3; Isaiah 65:13, 14.POI 15.2*

3. Everybody keeps the first day. *Matthew 7:13, 14*. "Enter ye in at the strait gate: for wide is the gate and broad is the way, that leadeth to destruction, and many there be which go in thereat: because strait is the gate, and narrow is the way which leadeth unto life, and few there be that find it." *Proverbs 11:21; 16:5.POI 15.3*

4. Many learned men teach that it is right. *Hosea 10:13*. "Ye have ploughed wickedness, ye have reaped iniquity; ye have eaten the fruit of lies: because thou didst trust in thy way, in the multitude of thy mighty, men." *1 Corinthians 1:25-27; Revelation 18:23.POI 15.4*

5. We are unlearned and must look to them for instruction. *Proverbs 19:27*. "Cease, my son, to hear the instruction that causeth to err from the words of knowledge." *2 Timothy 3:1-7.POI 15.5*

6. The laws of our country enforce it. *Acts 4:19*. "Whether it be right in the sight of God to hearken unto you more than unto God, judge ye." *Chap. 5:29; Daniel 3:16-18; 6:10.POI 15.6*

7. It causes trouble and division. *Luke 12:51, 52*. "Suppose ye that I am come to give peace on earth? I tell you, Nay; but rather division For from henceforth there shall be five in one house divided, three against two, and two against three." *Verse 49; Matthew 10:34-37; John 15:19; John 17:14; 1 Kings 18:17, 18.POI 15.7*

8. I should lose my influence and bring reproach. *Matthew 5:11, 12*.



“Blessed are ye, when men shall revise you, and persecute you, and shall say all manner of evil against you falsely, for my sake. Rejoice and be exceeding glad, for great is your reward in Heaven: for so persecuted they the prophets, which were before you.” *Luke 6:22, 23, 26; 1 John 4:5.POI 16.1*

9. It, makes no difference what day I keep if I keep it right. *Exodus 20:9, 10*. “Six days shall, thou labor and do all thy work: but the seventh day is the Sabbath of the Lord thy God: in it thou shalt not do any work.” *Matthew 15:3, 9*. To keep any day right is to keep it as God’s law directs; otherwise his law is not right. To keep every day right is to work on the first six and rest the seventh.*POI 16.2*

10. I am afraid of new doctrines. *Exodus 20:11*. “In six days the Lord made heaven and earth, the sea and till that in them is, and rested the seventh day: wherefore the Lord blessed the Sabbath day and hallowed it.” *Genesis 2:2, 3.POI 16.3*

11. I do not think these old laws are binding. *Jeremiah 6:16*. “Thus saith the Lord, Stand ye in the “ways, and see, and ask for the old paths, where is the good way, and walk therein, and ye shall find rest for your souls.” *Chap. 18:15.POI 16.4*

12. The apostle Leaches that old things are passed away. *2 Corinthians 5:17*. “Therefore, if any man be in Christ, he is a new Creature: old things are passed away; behold, all things are become new.” The “old man” of sin must pass away. Then the man becomes new-not the law.*POI 16.5*

“The word of the Lord endureth forever.”

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